

**UNITED STATES DISTRICT COURT  
for the  
Western District of North Carolina**

Cheyenne International, LLC, a North Carolina Limited  
Liability Company,

***Plaintiff***

**v.**

**Civil Action No. 1:15-cv-251**

Spark Industries, LLC, a California Limited Liability  
Company,

***Defendant***

**SUMMONS IN A CIVIL ACTION**

**TO: (Defendant's name and address)**

Spark Industries, LLC  
Spencer Thompson, Registered Agent  
750 Calle Plano  
Camarillo, California 93012

**A lawsuit has been filed against you.**

**Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) – or 60 days if you are named as a defendant within an asbestos litigation case - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:**

Christopher M. Thomas  
Parker Poe Adams & Bernstein LLP  
301 Fayetteville Street, Suite 1400 (27601)  
P.O. Box 389  
Raleigh, North Carolina 27602-0389

**If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.**



Date 11/10/2015

Frank G. Johns, Clerk  
United States District Court

Civil Action No. 1:15-cv-251

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(1))*

This summon for *(name of individual and title, if any)* \_\_\_\_\_

was received by me on *(date)* \_\_\_\_\_.

- ☐ I personally served the summons on the defendant at  
*(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_,  
a person of suitable age and discretion who  
resides there, on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last  
known address; or
- ☐ I served the summons on *(name of individual)* \_\_\_\_\_,  
who is designated by law to accept service of process on behalf of *(name of organization)*  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or
- ☐ I returned the summons unexecuted because \_\_\_\_\_; or
- ☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of  
\$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
Server's signature

\_\_\_\_\_  
Printed name and title